

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PHILLIP FIGURES,

Defendant.

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Case No. 8:12CR14

ORDER

This case is before the court on the defendant's Motion to Review Order of Detention (#35). Defendant moves the court for a release with home detention and electronic monitoring, due to his wife's medical condition. The case is currently set for trial on May 21, 2012 before United States District Judge Joseph F. Bataillon.

Based upon a review of the Pretrial Services memorandum of January 26, 2012, the court's January 27, 2012 Detention Order (#12), and the defendant's significant prior criminal record, I find that the motion should be denied. Additionally, the reasons for release submitted fail to rebut the presumption of detention under 18 U.S.C. § 3142(e).

I find the defendant is both a flight risk and a danger and that no single condition of release or combination of conditions of release mitigate my concerns.

IT IS ORDERED, the defendant's Motion to Review Order of Detention (#35) is denied without hearing.

Dated this 3rd day of May 2012.

BY THE COURT:

S/ F.A. Gossett, III
United States Magistrate Judge